

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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*Local Counsel for Non-Party Experimental
Pathology Laboratories, Inc.*

**In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

MDL No. 1358

New Jersey Dept. of Environmental)
Protection, <i>et al.</i>)
)
Plaintiffs,)
)
v.)
)
Atlantic Richfield Co., <i>et al.</i>)
)
Defendants.)

Civil Action No.:
08 Civ. 00312(SAS); MDL 1358

Master File C.A. No. 1:00-1898 (SAS)

**DECLARATION OF ALISON R. MULLINS IN SUPPORT OF
EXPERIMENTAL PATHOLOGY LABORATORIES, INC.'S OPPOSITION TO
PLAINTIFF'S MOTION TO ENFORCE WAIVER AND DECLASSIFICATION
PROVISIONS OF PROTECTIVE ORDERS**

This declaration is respectfully submitted, under penalties of perjury, pursuant to 28 U.S.C. § 1746. To the best of my knowledge, information, and belief:

1. I am an attorney admitted to practice law in the Commonwealth of Virginia, State of Maryland, and District of Columbia, and an Associate with the law firm of Rees Broome, PC. I am over the age of 18 and have personal knowledge of the facts set forth herein, which are

known to me to be true and correct. I could and would testify competently about the matters set forth herein if called upon to do so.

2. I submit this Declaration on behalf of Non-Party Experimental Pathology Laboratories, Inc. (“EPL”) in support of its Opposition to Plaintiffs the New Jersey Department of Environmental Protection, the Commissioner of the New Jersey Department of Environmental Protection, and the Administrator of the New Jersey Spill Compensation Fund’s (collectively, “Plaintiffs”) Motion to Enforce Waiver and Declassification Provisions of Protective Orders (“Motion”).

3. A true and correct copy of the Confidentiality Agreement & Protective Order entered by the Court on October 28, 2011 (Dkt. No. 3465) is attached hereto and incorporated by reference as **Exhibit A**.

4. A true and correct copy of the applicable excerpts from the transcript of the status conference held before the Court on May 13, 2014 is attached hereto and incorporated by reference as **Exhibit B**.

5. A true and correct copy of EPL’s counsel’s letter dated June 24, 2014 to Plaintiffs’ counsel regarding Plaintiffs’ Request to Declassify & Challenge Confidentiality of Documents Produced by EPL is attached hereto and incorporated by reference as **Exhibit C**.

6. The copies of exhibits used at Ms. Willson’s deposition continued to bear the “CONFIDENTIAL” stamp, and when the deposition was completed, and the court reporter provided the official copy of the exhibits, the exhibits bore the “CONFIDENTIAL” stamp.

7. The EPA has not requested any information or documentation from EPL related to the MTBE Study, nor has EPL been informed of any such request by the EPA to any party to this litigation (or to anyone else).

Dated: August 6, 2014



Alison R. Mullins